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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,908	09/17/2003	Juha T. Harju	59643-00301	2638

32294 7590 12/28/2006
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EXAMINER

WENDELL, ANDREW

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/28/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/663,908	HARJU ET AL.	
	Examiner	Art Unit	
	Andrew Wendell	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 06 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino et al. (US Pat Appl# 2002/0098839) in view of Dean (US Pat# 6,201,802).

Regarding claim 1, Ogino et al. method for measurement transmitting time offset of base station teaches receiving signals GPS Signal (Fig. 4) from a location system external to a network (Satellite) for determining a location of a network survey device, the method being used for performing a network survey for a radio telecommunications network comprising two or more base stations (Sections 0113); locating the network survey device at a first location and, with the network survey device at the first location 431 (Fig. 4, Section 0042 "observation points"), receiving signals from a first base station 41 and P1 (Fig. 4) of the network at the first location 431 (Fig. 4) by means of the network survey device 430 (Fig. 4), thereby measuring synchronization (time offset) of said first base station relative to a reference time-frame determined from the location system (Sections 0039-0045 and 0008-0009); and the network survey device at a second location 432 (Fig. 4) and, with the network survey device at the second location, receiving signals from the first base station P2 (Fig. 4) at the second location by the means of a network survey device, thereby measuring synchronization of said first base

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station relative to the reference time-frame (Sections 0039-0045 and 0008-0009).

Ogino et al. fails to teach moving the network survey device and receiving signal for determining its location.

Dean's method for analyzing base station timing teaches moving the network survey device (Col. 6 lines 27-36) and receiving signals for determining its location (Col. 7 lines 22-29). Also, Dean teaches performing a network survey 100 (Fig. 4) for a radio telecommunications network comprising two or more base stations 8 and 10 (Fig. 4).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate moving the network survey device as taught by Dean into Ogino et al. method for measurement transmitting time offset of base station in order to have a comprehensive and precise method of measuring base station timing (Col. 4 lines 51-57).

Regarding claim 2, the combination including Ogino et al. teaches comparing results of measurements at the first and second locations with pre-determined network management criteria (Sections 0008 and 0009).

Regarding claim 3, the combination including Dean teaches modifying a configuration of the network based upon the results of the comparison (Col. 10 lines 30-37).

Regarding claim 4, the combination including Dean teaches receiving the signals from the location system, which comprises a satellite location system and the signals from satellites of the system are received for determining the location of the network survey device (Col. 7 lines 22-29).

Regarding claim 5, the combination including Dean teaches receiving the signals from the location system, which comprises the Global Positioning System (Col. 7 lines 22-29).

Regarding claim 6, the combination including Dean teaches recording visibility of the satellites and quality of the signals of the satellites by means of the network survey device (Col. 7 lines 22-29).

Regarding claim 7, the combination including Dean teaches measuring a quality and a signal level of the signal received from the first base station (Col. 9 lines 44-61).

Regarding claim 8, the combination including Dean teaches receiving signals from a second base station of the network by means of the network survey device in the first and second locations; and synchronizing (timing) the second base station relative to the reference time-frame (Fig. 6).

Regarding claim 9, Ogino et al. teaches a first receiving means 431 (Fig. 4) for receiving signals from base stations 41 (Fig. 4, even though it shows one base station, figure 1 shows multiple base stations 131-133); second receiving means 432 (Fig. 4) for receiving a reference time-frame signal GPS Signal (Fig. 4 and Section 0039); and first measuring means 430 (Fig. 4) for measuring synchronization (time offset) of base stations relative to a reference time-frame (Sections 0039-0045 and 0008-0009). Ogino et al. fails to teach clearly receiving signals from base stations.

Dean teaches a first receiving means 100 (Fig. 4) for receiving signals from base stations 8 and 10 (Fig. 4).

Regarding claim 10, the combination including Dean teaches a second measuring means for measuring the synchronization (timing) of at least one base station relative to another base station (Fig. 6).

Regarding claim 11, claim 11 is rejected for the same reason as claim 9 since the recited elements would perform the claimed steps.

Regarding claim 12, Ogino et al. teaches receiving signals from a location system GPS Signal (Fig. 4) external to a network for determining a location of a network survey device, the method being used for performing a network survey for a radio telecommunications network comprising two or more base stations (Sections 0113); locating the network survey device at a first location and, with the network survey device at the first location 431 (Fig. 4, Section 0042 "observation points"), receiving signals from at least one of a plurality of base stations 131-133 (Fig. 1) at the first location 431 (Fig. 4) by means of the network survey device 430 (Fig. 4), thereby measuring

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synchronization (Time offset) of said at least one base station of said plurality of base stations relative to a reference time-frame GPS signal (Fig. 4) determined from the location system (Sections 0039-0045 and 0008-0009); and the network survey device at a second location 432 (Fig. 4) and, with the network survey device at the second location, receiving signals from said at least one base station 41 (Fig. 4) of said plurality of base stations at the second location by the means of a network survey device, thereby measuring synchronization (time offset) of said at least one base station of said plurality of base stations relative to the reference time-frame (Sections 0039-0045 and 0008-0009). Ogino et al. fails to teach moving the network survey device, receiving signal for determining its location, and receiving signals from a plurality of base stations.

Dean's method for analyzing base station timing teaches moving the network survey device (Col. 6 lines 27-36), receiving signals for determining its location (Col. 7 lines 22-29), and receiving signals from a plurality of base stations 8 and 10 (Fig. 4). Also, Dean teaches performing a network survey 100 (Fig. 4) for a radio telecommunications network comprising two or more base stations 8 and 10 (Fig. 4).

Regarding claim 13, the combination including Ogino et al. teaches comparing results of measurements at the first and second locations with pre-determined network management criteria (Sections 0008 and 0009).

Regarding claim 14, the combination including Dean teaches modifying a configuration of the network based upon the results of the comparison (Col. 10 lines 30-37).

Regarding claim 15, the combination including Dean teaches wherein locating the network survey device at the first location comprises receiving the signals from said plurality of base stations, and moving the network survey device to the second location comprises receiving the signals from said plurality of base stations (Col. 9 line 18-Col. 10 line 29).

Regarding claim 16, the combination including Dean teaches wherein moving the network device to the second location comprises receiving the signals from a first base station and from at least one neighboring base station of the network (Col. 9 line 18-Col. 10 line 29).

Regarding claim 17, the combination including Dean teaches wherein moving the network device to the second location comprises receiving the signals from a first base station of the network and at least one base station associated with another telecommunications network (Col. 9 line 18-Col. 10 line 29).

Regarding claim 18, the combination including Ogino teaches a second measuring unit configured to measure the synchronization of at least one base station relative to another base station (Sections 0113-0116).

Response to Arguments

Applicant's Remarks	Examiner's Response
"Dean does not teach or suggest generating a network survey of timing difference from various locations."	Examiner is not clear how this argument relates to the claim limitations. However, based on the remark, Dean and Ogino teaches timing differences from various

	locations. In Dean see column 9 lines 51-64, it teaches gathering time offsets from base stations. In Ogino see sections 0039-0045 and 0008-0009. It teaches surveying timing differences at different locations.
"Neither Ogino nor Dean raise the issue of calculating a network survey which can be used for calibrating the network."	There is no mention of calibrating the network in the claims. However, Dean teaches calibrating the network (Col. 10 lines 30-37).
"Furthermore, neither Ogino nor Dean teach or suggest a device which records timing differences at two or more locations for use in a network survey."	Again, there is no mention of recording in the claims. However, Ogino teaches recording timing differences at two or more locations (Sections 0112-0116).
"Applicants submit that one skilled in the art would not be motivated to modify the teachings of Ogino and Dean to yield the elements recited in the presently pending claims."	Ogino and Dean both teach analyzing timing of signals sent from base station(s) in a wireless network environment.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Wendell whose telephone number is 571-272-0557. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Andrew Wendell
Examiner
Art Unit 2618

12/11/2006



12/13/06

QUOCHIEN B. VUONG
PRIMARY EXAMINER